

DOCKET NO: 257253US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
BERND ZASCHKE, ET AL. : EXAMINER: COONEY, J. M.
SERIAL NO: 10/507,315 :
FILED: SEPTEMBER 10, 2004 : GROUP ART UNIT: 1796
FOR: GRAFT POLYOLS WITH A :
BIMODAL PARTICLE SIZE
DISTRIBUTION AND METHOD FOR
PRODUCING GRAFT POLYOLS OF THIS
TYPE, IN ADDITION TO THE USE
THEREOF FOR PRODUCING
POLYURETHANES

SECOND SUPPLEMENTAL APPEAL BRIEF

SIR:

Responsive to the Notification of Non-Compliant Appeal Brief dated November 10, 2009, appellants submit the following supplemental appeal brief of the examiner's final rejection of June 10, 2008 of claims 1, 2 and 4-16 as obvious. Only Section(iii) is submitted as only section(iii) has been identified as defective.

(iii) Status Of Claims

Appellants' state the status of all the claims in the proceeding as follows:

Claims 1, 2 and 4-16 are rejected and active in this application and are herein appealed.

Claims 3 and 17 have been canceled.

No claims have been identified as allowed or confirmed.

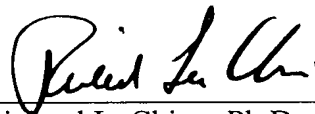
No claims have been identified as withdrawn.

No claims have been identified as objected to.

Appellants submit that this application is now in condition for appeal.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

A handwritten signature in black ink, appearing to read "Richard L. Chinn", is written over a horizontal line.

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